REMARKS/ARGUMENTS

Claims 1-6, 8-15, 17-23, 25, and 26 are pending in this Application.

Claims 1, 2, 10, and 18 are currently amended. Applicants respectfully submit that support for the claim amendments can be found throughout the specification and the drawings.

Claims 1-6, 8-15, 17-23, 25, and 26 remain pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1-6, 8-15, 17-23, 25, and 26 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,820,082 (hereinafter "Cook") in view of U.S. Patent No. 6,999,972 (hereinafter "Lusen") and U.S. Patent No. 5,899,991 (hereinafter "Karch").

Claim Rejections Under 35 U.S. C. § 103(a)

Applicants respectfully traverse the rejections to claims 1-6, 8-15, 17-23, 25, and 26 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Cook, Lusen, and Karch. The Office Action alleges that claimed invention is directed to obvious subject matter, in that the combination of Cook, Lusen, and Karch expressly or impliedly disclose or suggest the claimed invention. The Office Action further alleges that one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of Cook, Lusen, and Karch.

Applicants, however, respectfully submit that a prima facie case of obviousness has not been established by the evidence presented in the Office Action. As reiterated by the Supreme Court in KSR International Co. v. Teleflex Inc. (KSR), 550 U.S. ___, 82 USPQ2d 1385 (2007), the framework for the objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966). The factual inquiries enunciated by the Court are as follows:

(A) Determining the scope and content of the prior art;

    (B) Ascertaining the differences between the claimed invention and the prior art;
and

    (C) Resolving the level of ordinary skill in the pertinent art.

    Applicants respectfully submit that Cook, Lusen, and Karch, either individually or
in combination, fail to disclose one or more of the claim limitations recited in each of claims 1-6,
8-15, 17-23, 25, and 26. These differences, along with other difference, establish that the subject
matter as a whole of claims 1-6, 8-15, 17-23, 25, and 26 would not have been obvious at the time
of invention to a person of ordinary skill in the art. Therefore, the Office Action fails to correctly
ascertain the differences between the claimed invention and the prior art and its accompanying
rejections should be withdrawn.

    Cook, Lusen, and Karch, either individually or in combination, fail to disclose or
suggest the method recited in claim 26 of using XML tags within security rules as recited when
XML documents are searched. Claim 26 recites a method for searching electronic records stored
in a common repository in a database that provides an audit trail that cannot be altered or
disabled by users associated with the database. As recited, each electronic record comprises a
well-formed XML document stored in a character large-object (CLOB) format in a column of a
table of the database. The Office Action alleges that claim 26 encompasses limitations that are
substantially similar to claim 1. Thus, Applicants will attempt to address the limitations of claim
26 along with the reasoning presented in the rejection of claim 1.

    As recited in claim 26, a first graphical user interface is displayed on a display
device. The first graphical user interface as recited is configured to enable users to designate
XML tags within XML documents associated with the plurality of electronic records stored in
the database for use as secure elements of security rules. (Emphasis added). The Office Action
acknowledges that both Cook and Lusen fail to enable users to designate XML tags within XML
documents associated with electronic records stored in a database for use as secure elements of
security rules as recited. The Office Action attempts to cure these deficiencies with Karch
alleging that Karch discloses enabling users to designate XML tags within XML documents

associated with electronic records stored in a database for use as secure elements of security

rules as recited in FIG. 2 and Col. 5, lines 16-26. Applicants respectfully disagree.

Karch is directed to creating rules (e.g., FIG. 2, step 203) based on data attributes

extracted from a database (e.g., FIG. 2, step 202). In Col. 5, lines 16-26, Karch provides some

examples, such as data clustering, which databases are joined, frequency of a particular value in

a particular field, record length, and indexing structure. However, each of these examples are

attributes (frequency, length, structure, etc.) of the data in the database. In contrast, claim 26

enables rules to be created from enable users to designate XML tags within XML documents in a

database for use as secure elements of security rules. While Karch attempts to state that "many

other items" may be extracted, without further clarification from Karch we can only assume that

these relate to the same data attributes previously discussed. Thus, as the Office Action

acknowledges, an overloading of the system in Karch can be avoided by looking at the data

attributes. Karch simply fails to provide any specific details that users can designate XML tags

within XML documents in a database for use as secure elements of security rules as recited in

claim 26. Moreover, assuming that Karch did disclose an XML tag within XML documents in a

database, which Applicants respectfully submit Karch does not, the system in Karch would not

use the XML tag itself as part of the security rule as recited in claim 26, but attributes of the

XML document or its included XML elements, such as the frequency, length, structure, etc.,

which use is substantially different from that recited in claim 26.

Therefore, as Cook, Lusen, and Karch, each individually and thus in combination,

fail to disclose the above recited feature of claim 26. Applicants respectfully submit that claim

26 is allowable over the cited references.

Claim 26 further recites the feature of "displaying a second graphical user

interface on the display device, the second graphical user interface configured to enable users to

associate XML tags designated for use as secure elements with events." In rejecting claim 26,

the Office Action fails to account for the difference between the limitations of identifying XML

tags for use in security rules and XML tags for use in events. Therefore, Applicants respectfully

submit that the rejection of claim 26 is incomplete as to all matters and therefore should be withdrawn.

Claim 26 further recites the feature of "prior to executing the query, modifying the query in accordance with the security protocol to create a modified query that includes the XML tag from the security rule." Applicants respectfully submit that Cook, Lusen, and Karch, each individually or in combination, fail to modify queries to include an XML tag from a security rule as recited in claim 26. Cook fails to disclose or suggest the recited modification to a query that allows for searching of a database storing XML documents. The Office Action points to Col. 7, lines 61-64 and Col. 8, lines 46-48, but these sections merely suggest that a modified query can be generated, but not of the examples disclose the recited modification to a query that allows for searching of a database storing XML documents. Lusen also fails to disclose or suggest the recited modification to a query that allows for searching of a database storing XML documents. Furthermore, as discussed above, Karch also fails to disclose that XML tags are identified by a user for use a secure elements of security rules. Therefore, again, as Cook, Lusen, and Karch, each individually and thus in combination, fail to disclose the above recited feature of claim 26. Applicants respectfully submit that claim 26 is allowable over the cited references.

Based upon the above, Applicants respectfully submit that Cook, Lusen, and Karch, each individually and thus in combination, fail to disclose or suggest each and every one of the claim limitations recited in claim 26. Further, even if Cook, Lusen, and Karch were combined as suggested in the Office Action (although there appears to be no motivation in the references for the combination and no reasonable expectation of success), the resultant combination would still not teach or suggest the above recited features in claim 26 as outline above.

Applicants respectfully submit that independent claims 1, 10, and 18 are allowable for at least a similar rationale as discussed above for the allowability of claim 26, and others. Applicants respectfully submit that the dependent claims that depend directly and/or indirectly from independent claims 1, 10, and 18 respectively, are also allowable for at least a

similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Unless otherwise specified, amendments to the claims are made for the purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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